

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

TALEEN BRADY,)	Case No:
)	
Plaintiff,)	
)	COMPLAINT AND DEMAND FOR
vs.)	JURY TRIAL
)	
OMAHA PUBLIC SCHOOLS, a Nebraska)	
Political Subdivision,)	
)	
Defendant,)	

COMES NOW the Plaintiff, by and through her attorney, for her cause of action against Defendant, Omaha Public Schools, hereby states the following:

INTRODUCTION

1. This is an action under the Omaha City Code, Nebraska Fair Employment Practices Act and Title VII of the Civil Rights Act of 1962, challenging Defendant's unlawful sex discrimination against Plaintiff.

2. Plaintiff Taleen Brady was discriminated against by Defendant's failure to hire her for an Evaluation Specialist position.

JURISDICTION AND VENUE

3. Plaintiff Taleen Brady (hereinafter "Taleen") was at all times material hereto a resident of Sioux City, Iowa.

4. Defendant Omaha Public Schools (hereinafter "OPS") is a public-school district in Omaha, Douglas County, Nebraska.

5. The acts about which Taleen complains occurred in Omaha, Douglas County, Nebraska.
6. OPS had at all times material, more than 15 employees.
7. This court has original jurisdiction over the federal law claims, and supplemental jurisdiction over the Omaha City Ordinance claims.
8. Venue is proper in this court pursuant to 28 USC §1391.

ADMINISTRATIVE MATTERS

9. Taleen filed a charge of discrimination with the Omaha Human Rights and Relations Department on or about February 16, 2011, within 300 days of the acts alleged in her charge. The charge alleged discrimination based on sex. Charge Number FEPA 11-0215-029-ER, and EEOC 32G-2011-00031.

10. On or about September 20, 2014, Taleen received a reasonable cause determination from the Omaha Human Rights and Relations Department. Following said determination, conciliation was attempted locally.

11. After local conciliation efforts failed, on or about May 5, 2015, the matter was forwarded to the Equal Employment Opportunity Commission for conciliation efforts.

12. Taleen received her Notice of Right to Sue from the Department of Justice on or about March 15, 2017, within 90 days of filing this complaint.

FACTUAL BACKGROUND

13. On or about September 27, 2010, Taleen applied for the position of Evaluation Specialist at OPS.

14. In early February 2010, Taleen was interviewed for the Evaluation Specialist position by Janna White, Chris Gibson, and Deann (last name unknown), employees of OPS.

15. The position of Evaluation Specialist required a Master's Degree in a research or evaluation field of study. Taleen has a Master's degree in Industrial/Organizational Psychology.

16. On or about February 4, 2011, Taleen was informed another individual was selected for the Evaluation Specialist position.

17. Upon informed belief, the individual selected was male, and did not have a Master's degree and therefore did not meet the minimum requirements for the job at issue.

COUNT I

SEX DISCRIMINATION IN VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT

18. Plaintiff hereby repleads paragraph 1 to 17 as if fully set forth herein.

19. Defendant discriminated against Plaintiff on the basis of sex in violation of Title VII of the Civil Rights Act of 1964, as Amended, by failing to hire her.

20. Defendant hired a less qualified male applicant instead of Plaintiff.

21. Defendants acts and omissions were motivated by Plaintiff's sex.

22. As a result of Defendant's acts and omissions, Plaintiff has in the past and will in the future suffer damages including, but not limited to, mental and emotional distress; fear; anguish; humiliation; embarrassment; lost enjoyment of life; lost wages' benefits; future earnings; and other emoluments of employment.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount which will fully and fairly compensate her for her injuries and damages, for interest as allowed by law, for

attorney's fees, for the costs of this action, and for such other relief as may be just in the circumstances.

COUNT II

**SEX DISCRIMINATION IN VIOLATION OF THE OMAHA MUNICIPAL CODE
ANTI-DISCRIMINATION ORDINANCE, SECTIONS 13-122, 13-141, AND 13-142.**

23. Plaintiff hereby repleads Plaintiff hereby repleads paragraph 1 to 22 as if fully set forth herein.

24. Defendant discriminated against Plaintiff on the basis of sex in violation of the Omaha City Code by failing to hire her because of her sex.

25. Defendant hired a less qualified male applicant instead of Plaintiff.

26. Defendants acts and omissions were motivated by Plaintiff's sex.

27. As a result of Defendant's acts and omissions, Plaintiff has in the past and will in the future suffer damages including, but not limited to, mental and emotional distress; fear; anguish; humiliation; embarrassment; lost enjoyment of life; lost wages' benefits; future earnings; and other emoluments of employment.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount which will fully and fairly compensate her for her injuries and damages, for interest as allowed by law, for attorney's fees, for the costs of this action, and for such other relief as may be just in the circumstances.

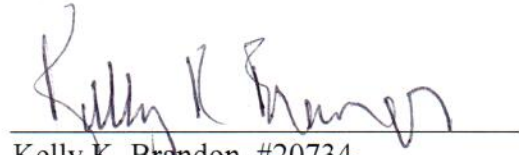
JURY DEMAND

Plaintiff hereby demands a trial by jury.

Dated this 23rd day of May, 2017.

Taleen Brady, Plaintiff

By

A handwritten signature in black ink, appearing to read "Kelly K. Brandon", is written over a horizontal line.

Kelly K. Brandon, #20734

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